

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BEN HARBOR,
Plaintiff,
v.

No. C-05-5211 MMC

**ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

ALAMEDA-CONTRA COSTA TRANSIT
DISTRICT,
Defendant.

Before the Court are defendant's "Status Conference Report," filed February 13, 2009, and plaintiff's "Status Report," filed February 17, 2009. Defendant, in its report, states that although the arbitrator in the related labor arbitration has issued a "further decision," the parties have not yet had the opportunity to review such decision to determine, inter alia, "what issues will remain in dispute for this civil action." (See Def.'s Rep. at 2:13-17.) Defendant further states that the parties request a continuance of the Case Management Conference in the instant action to a date in April 2009. Plaintiff, in his report, states he "fully agree[s]" with the statements made in defendant's report. (See Pl.'s Rep. at 1:23.)

Given the need of the parties to review the arbitrator's decision and to determine its impact on the action, the February 20, 2009 Case Management Conference is hereby CONTINUED to April 10, 2009. The parties shall file a Joint Case Management

1 Conference Statement no later than April 3, 2009.

2 **IT IS SO ORDERED.**

3
4 Dated: February 18, 2009


MAXINE M. CHESNEY
United States District Judge